

AMY EVERETT and)
TJELVAR EVERETT,)
)
Plaintiffs,)
)
v.) Civ. Act. No. 1:17-cv-3392-TWT
)
COBB COUNTY, GEORGIA;) Plaintiff's First Amended Complaint
)
OFFICER JAMES HOPKINS,)
individually and in his official)
capacity; and,)
)
LANI MESHELLA MILLER;)
)
Defendants.)
)

Now Comes Plaintiffs and state the following first amended complaint:

1. Plaintiffs incorporate as if fully stated herein Plaintiffs original complaint, doc. no. 1, including the prayers for relief as applied to the complaint as a whole.
2. The basis of jurisdiction for state law claims against Defendant Miller is 28 U.S.C. § 1332.
3. Plaintiff Amy Everett had \$8,100.00 in necessary expenses to defend the criminal charges and for bond. *See* Original Compl. (doc. no. 1) at ¶ 66 (First

attorney's fees of \$4,000.00); *id.* at ¶ 71 (Bond of \$600.00); *id.* at ¶ 74 (Second attorney's fees of \$3,500.00).

4. Plaintiff was directed to go to counselling as part of defense preparation which cost \$300.

5. The Everetts' incurred the following loses totaling about \$12, 974.84:

Date	Event	Loss/Expense	Amount
9/8/2015	Left work - Drove to Georgia	Amy work day	294.73
9/8/2015	Retained Melvin Nash, LLC	Fee	4000.00
9/8/2015	Jefferson County Jail	Amy work day	169.68
9/9/2015	Jefferson County Jail	Amy work day	169.68
9/10/2015	Drove to CobbCounty	TJ work day	294.73
9/10/2015	Cobb County Jail	Amy work day	169.68
9/10/2015	Bond (\$2950)	Fees	1043.00 ¹
9/10/2015	Legal Referrals/PhoneCalls	Amy 1/2 work day	84.84
9/25/2015	Meeting with Melvin	TJ work day	294.73
9/25/2015	Meeting with Melvin	Amy work day	169.68
10/2/2015	MG Counseling per Melvin	Fee	150.00
10/2/2015	MG Counseling per Melvin	Amy work day	169.68
11/10/15	Retained Cynthia Counts	Fee	5500.00 ²
3/10/2015	Court Date - Nolle Prossed	TJ work day	294.73
3/10/2015	Court Date - Nolle Prossed	Amy work day	169.68

¹ received \$600 back in March

² received \$1800 back

6. Through the ad damnum clause: Plaintiff Amy Everett has suffered \$80,000.00 or more in damages, and demands judgment against the defendants, in the amount of at least \$80,000.00.

Respectfully submitted this 17th day of January, 2018.

I certify this is Times New Roman 14 point font in Word.

/s/ John P. Batson

John P. Batson

Ga. Bar No. 042150

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CERTIFICATE OF SERVICE

This is to certify that the undersigned attorney did this date serve a copy of the within and foregoing Plaintiffs' First Amended Complaint

☐ Depositing the same with a commercial expedited delivery service thereon to the following address(es):

☐ Delivering a copy to counsel by hand to the following address(es):

☐ Faxing a copy of the same to the following Fax No(s).:

☒ E-mailing a copy of the same through the court's e-mailing system:

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Respectfully submitted this 17th day of January, 2018.

/s/ John P. Batson

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